IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

WP(C).No. 36572 of 2007(D)

PETITIONER:

HOPE PLANTATIONS
(A DIVISION OF PODDAR UDYOG LTD)
GLENMARY ESTATE,PEERMADE, IDUKKI
HAVING ITS REGISTERED OFFICE AT 31, B B D BAGH
HONGKONG HOUSE, CALCUTTA 700 001, REP BY ITS
ACCOUNTS OFFICER, MR.DIPAK MAHESWARI.

BY ADV. SRI.V.B.HARI NARAYANAN

RESPONDENTS:

1. ASSISTANT PROVIDENT FUND COMMISSIONER
EMPLOYEES PROVIDENT FUND ORGANISATION
S.R.O., C.M.S COLLEGE ROAD,
KOTTAYAM 686 001.

2. THE RECOVERY OFFICER
EMPLOYEES PROVIDENT FUND ORGANISATION
S.R.O., C.M.S COLLEGE ROAD,
KOTTAYAM 686 001.

BY ADV. SRI.JOY THATTIL ITOOP, SC, EPF ORGANISATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.36572 of 2007

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Dated this the 13th day of December, 2007

J U D G M E N T

The petitioner's property is being sold for recovery of provident fund contributions due from the petitioner, by the respondents herein. Earlier the petitioner approached this court challenging the sale proceedings in which this court permitted the petitioner to sell a portion of the property and pay the amounts. The petitioner was not able to take advantage of the said judgment. In view of that fact the respondents continued with the sale proceedings and published Ext.P2 proclamation of sale. The petitioner's grievance is that the minimum reserve price mentioned therein is not the correct market value of the property. According to the petitioner, the property would fetch at least Rs.20 crores, whereas the minimum sale price fixed is Rs.5,94,77,000/-. The petitioner seeks a direction to the respondents to get the property valued properly. The petitioner suggests the name of Sri.B.N.Chandrasekhar, Ooty as valuer. The

learned Standing Counsel appearing for the respondents has no objection in getting the property valued by Sri.B.N.Chandrasekhar, if he is an approved valuer.

In the above circumstances this writ petition is disposed of with a direction to the respondents to get the property revalued by the said valuer, if he is an approved valuer, at the expense of the petitioner and take appropriate further steps in the matter. It would be open to the respondents to direct the valuer to submit his valuation report within a prescribed period and the valuer shall submit the same within the period so stipulated.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.